IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

C.R.No. 6795 of 2006 (O&M)
Date of decision : 12.1.2007

Kamaljit Singh

.....Petitioner.

Versus

Municipal Council, Sanaur & Ors.

.....Respondents.

CORAM : HON'BLE MR. JUSTICE VINOD K. SHARMA

Present : Ms. Monika Jalota,Advocate
for the petitioner.

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VINOD K. SHARMA,J.(ORAL)

The present revision petition has been filed against the orders passed by the learned Courts below declining the application moved by the petitioner under Order 39 Rules 1 & 2 C.P.C.

Both the Courts below have recorded a finding that the Municipal Committee has constructed a pucca street on the alleged courtyard claimed to be that of the petitioner. Once a public street is in existence and the same is being used as such, the learned Courts below were right in coming to the conclusion that the petitioner did not have a prima facie case. There is no illegality or irregularity in exercise of jurisdiction by the learned Courts below which may call for interference in exercise of revisional jurisdiction.

Dismissed.

However, it is made clear that nothing stated above would be construed to be an opinion on merit of the case.

The trial Court is directed to expedite the hearing of the case keeping in view the nature of the dispute between the parties.

12.1.2007. **(VINOD K. SHARMA)**
'sp' **JUDGE**